

UNITED STATES DISTRICT COURT

NORTHERN
UNITED STATES OF AMERICA

v.

YASMEEN KHAN

FILED DISTRICT OF ILLINOIS, EASTERN DIVISION

MAR 02 2000

- FILED -

- UNPREDICTED -

Magistrate Judge Edward A. Bobrick
United States District Court

MAR 07 2000

CRIMINAL COMPLAINT

CASE NUMBER: 00 CR 0154

MAGISTRATE JUDGE BOBRICK

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about February 23, 2000, in Cook County and elsewhere in the Northern District of Illinois, defendant, with intent to extort from a person, hereinafter "Individual A," money and a thing of value, did knowingly cause to be delivered by the Postal Service according to the direction thereon, a communication, namely, a letter dated February 23, 2000, addressed to "Individual A" in Morton Grove, Illinois, and containing a threat to injure the reputation of "Individual A."

in violation of Title 18 United States Code, Section(s) 875.

I further state that I am a(n) Special Agent, Federal Bureau of Investigation and that this complaint is based on the following facts:

See attached affidavit.

Continued on the attached sheet and made a part hereof: Yes No

-Signature of Complainant

worn to before me and subscribed in my presence,

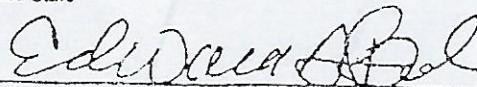
ARCH 2, 2000

at

Chicago, Illinois
City and State

EDWARD A. BOBRICK, U.S. Magistrate Judge
Title of Judicial Officer

Signature of Judicial Officer



STATE OF ILLINOIS)
COUNTY OF COOK) SS

AFFIDAVIT

I, Daniel W. Spotts, being duly sworn, do hereby depose and state:

1. I am a Special Agent of the Federal Bureau of Investigation and have been so employed for approximately six years. I serve on the Violent Crimes Squad, which investigates a variety of federal crimes, including extortion.
2. I have received training and have participated in all of the normal methods of investigation, including but not limited to, surveillance, interviewing witnesses, undercover operations, and consensual recordings.
3. I participated in the investigation of the offense charged in this complaint. The information in this affidavit is based on my personal observations or training, information related to me by other law enforcement officers, and information obtained from witnesses. The information in this affidavit is not an exhaustive account of my knowledge of the events described, but is rather provided for the sole purpose of establishing facts necessary to establish probable cause of the charged offense.
4. This affidavit is made in support of a complaint charging that MS. YASMEEN KHAN mailed, with the intent to extort, communications threatening to injure the reputation of another, in violation of the third paragraph of Title 18, United States Code Section 876. In pertinent part, § 876 states:

Whoever, with intent to extort from any person any money or other thing of value, knowingly so deposits or causes to be delivered, as aforesaid, any communication, with or without a name or designating mark subscribed thereto, addressed to any other person and containing any threat to injure the property or reputation of the addressee or of another . . . or any threat to accuse the addressee or any other person of a crime, shall be fined under this title or imprisoned not more than two years, or both.

§ 876 (emphasis added). The method of deposit or delivery referred to in the third paragraph of § 876 is stated in the first paragraph of that section: "knowingly deposits in any post office or authorized depository for mail matter, to be sent or delivered by the Postal service or knowingly causes to be delivered by the Postal Service according to the direction thereon." § 876.

5. On January 5, 2000, and in subsequent interviews, I received information contained in the following paragraphs from an attorney, hereinafter "Attorney-1," who represents a Catholic Church, hereinafter "the Church." On January 7, 2000, I also received information contained in the following paragraphs from a Bishop of the Church, hereinafter "Bishop-1." On January 7, 2000, and in subsequent interviews, I also received information contained in the following paragraphs from a priest of the Church, hereinafter "Father-1."

6. The Church is an organized church with followers numbering hundreds of thousands located throughout several nations, including the United States. The religious leader of the entire Church carries the title "Patriarch," referred to in the Complaint as "Individual A." The second level of governance in the Church is

occupied by Bishops. The level below Bishops is occupied by priests, who carry the title Father.

7. Until approximately mid-November 1998, Bishop-1 led a parish of the Church in the Chicago, Illinois area. Bishop-1 resided in the Chicago, Illinois area. He first met defendant YASMEEN KHAN, who was a member of Bishop-1's parish, in or around August or September 1998. At that time, KHAN was in a meeting with Father-1 at a cathedral in Chicago, Illinois, because she was in need of financial assistance. From time to time, the Church and its leaders provide financial assistance to parishioners in financial need. In or around October 1998, Bishop-1 directed that the Church provide KHAN with \$1500 in financial aid.

8. In or around late October 1998, KHAN telephoned Bishop-1 and invited him to her residence, at 6145 North Seeley Avenue, Apartment G, in Chicago, Illinois, for dinner alone. Bishop-1 told KHAN that he would go to her residence only if Father-1 accompanied him. KHAN refused and convinced Bishop-1 to arrive alone. In late October 1998, Bishop-1 went to KHAN's residence alone for dinner. KHAN told Bishop-1 that she loved him and wanted to marry him. After he refused, KHAN stated that they could marry in secrecy and began to cry. KHAN and Bishop-1 kissed several times. KHAN stated that she needed money for her children and expenses. In or around late October and November 1998, Bishop-1 provided KHAN with a total of approximately \$2000 on various dates.

9. KHAN remained in telephone contact with Bishop-1 in and around late October and November 1998. On or around November 10,

----- Bishop-1 to dinner alone at her residence, and he agreed. At her residence, KHAN again told Bishop-1 she loved him and wanted to marry him. KHAN asked him to have sex with her but he refused. After KHAN began to cry, KHAN and Bishop-1 engaged in consensual kissing and touching. Several times during this encounter, KHAN asked Bishop-1 to join her in another room to have sex. Bishop-1 refused.

10. Bishop-1 was unaware that KHAN was videotaping the meeting at her residence and did not consent to such taping. The day after the meeting, KHAN telephoned Bishop-1 and left him a voice-mail message stating that he would pay for what he did and told him she was sending a videotape to the Church. On that afternoon, a package was hand-delivered to the cathedral in which KHAN and Bishop-1 first met, where one of the parishioners received the package and then provided it to Bishop-1 unopened. After opening the package and discovering a videotape, Bishop-1 viewed the videotape, which depicted the consensual kissing and touching that occurred during the previous evening.

11. The day after the delivery of the package, KHAN telephoned Bishop-1 and left a voice-mail message instructing him to meet her at her residence and to bring \$30,000. Later that same day, Bishop-1 telephoned KHAN and told her that he could only bring \$17,000 on such short notice. KHAN agreed to that amount. On the same day, after Bishop-1 withdrew \$17,000 in cash from his personal bank account, he delivered the cash to her at her residence. KHAN provided Bishop-1 with one videotape and seven or eight audiotapes.

KHAN first stated that the items were originals, but then said that the videotape was in fact a copy.

12. Shortly before November 19, 1998, KHAN telephoned Bishop-1 and instructed him to meet her at a Dominick's food store in Chicago. Bishop-1 met KHAN in her car, which was parked near the store. KHAN demanded Bishop-1 pay her \$3,500 or she would expose him to the Church and ruin his life. The next day, Bishop-1 paid her \$3500 in cash at the same Dominick's store.

13. On or about November 19, 1998, Bishop-1 was transferred to a diocese in Glendale, Arizona, and he has resided there since that time. In or around late January 1999, KHAN called Bishop-1 at his Arizona residence several times asking for more money. KHAN told Bishop-1 that if he did not pay, she would have more videos made and would get an attorney, and that she could ruin his life. Bishop-1 did not pay her at that time.

14. In a letter dated March 23, 1999, received by Bishop-1 in Arizona on or around that date, KHAN demanded that Bishop-1 [s]end 20,000 (twenty thousand()) within 2 wks. KHAN also stated in the letter, "Imagine when they come to know what will they'll [sic] do to you[,] even Father who respect you that much will come to know about you[,] where you will stand then?" Furthermore, KHAN wrote in the letter, "You send me a payment of 20,000 (twenty thousand dollars) as it will be last payment of the matter." In or around March 1999, KHAN telephoned Bishop-1 several times, again threatening to expose him if he did not pay her \$10,000 to \$12,000. Bishop-1 agreed to pay \$10,000, and in April 1999, Bishop-1 flew to

Chicago and gave KHAN a cashier's check for \$10,000. KHAN threatened to give audiotapes to the Patriarch of the Church unless he paid an additional \$2000 for the audiotapes. Bishop-1 used \$100 of his own money and borrowed \$1900 in cash from Father-1, and paid KHAN.

15. In or around April 1999, KHAN called Bishop-1 several more times and demanded more money. KHAN told him that her mother now had the videotape and would deliver it to the Patriarch unless Bishop-1 paid KHAN. Initially, she demanded \$20,000, then increased the demand to \$30,000, and finally she agreed to accept \$26,000. In a letter dated April 9, 1999, received by Bishop-1 in Arizona on or around that date, KHAN confirmed, "As we talked on line and made a deal of 26,000\$ [sic] that you are going to give me and this is full and final payment by the honor of God and bible." (Emphasis in original.) Bishop-1 borrowed the money, and in April 1999, he flew to Chicago where he paid KHAN \$26,000 by cashier's check.

16. KHAN continued to call Bishop-1 in Arizona and demanded more money. In or around May or June 1999, KHAN sent photographs from the videotape to Bishop-1 in Arizona by Federal Express. KHAN also called other individuals associated with the Church in Arizona. In or around July 1999, Bishop-1 moved residences, changed his phone number, and has not spoken with KHAN since that time.

17. In or around September 1999, Bishop-1 contacted Attorney-1 and provided information regarding KHAN's threats against Bishop-

1. At or around the same time, KHAN contacted Father-1 and stated that she wished him to write a letter to the Patriarch on her behalf regarding Bishop-1, but he refused. He agreed to write a cover letter and transmit any letter she might write. In or around September 1999, KHAN mailed a letter to Father-1, which he in turn provided to Attorney-1. In the letter, dated September 9, 1999 and addressed to the Patriarch, KHAN claimed that she accepted Bishop-1's advances because he offered her \$1,500 to do so. She stated that she was being threatened by Bishop-1 and his family, and she could "forgive the whole thing" and provided the "video, audio, and photo" for an "out-right contribution of \$50,000." KHAN further wrote "that if I do not receive [sic] these moneys to help me move from here, I shall then go to the law and file for an amount not less than \$250,000.00; plus court costs." Although Attorney-1 did not give the letter to the Patriarch, Attorney-1 verbally informed the Patriarch of the contents of the letter.

18. In or around October 1999, KHAN requested a meeting with Attorney-1 and Father-1 at her residence because she had some "very valuable" videotape and audiotape regarding Bishop-1 that she wanted them to view and listen. On or around October 7, 1999, at approximately 11 a.m., Attorney-1 and Father-1 visited KHAN at her residence at 6145 North Seeley Avenue, Apartment G, in Chicago, Illinois. KHAN played a videotape depicting the consensual kissing and touching between her and Bishop-1 that occurred in or around November 1998. Attorney-1 asked KHAN why she continued to harass

Bishop-1 after being paid \$60,000, and KHAN asserted that she did so for revenge against him for sexual advances in November 1998.

19. On or around October 10, 1999, KHAN delivered a letter to Father-1. In the letter, which was addressed to the Patriarch and dated October 10, 1999, KHAN demanded \$50,000 from the Patriarch. Specifically, KHAN stated, "I will sell my prove [sic] not less than 50 thousand dollars." In addition, KHAN stated, "I can only wait till this week otherwise I have to go for court which will be a painful thing for everyone. The media and newspaper will get story but I will win for sure."

20. In or around late October 1999, Attorney-1 agreed to pay KHAN \$10,000 for the videotape and materials. On November 1, 1999, KHAN met Attorney-1 at his law office in Chicago during business hours. KHAN signed a document entitled, "Release," prepared by Attorney-1. The document provided that KHAN released any claims against Bishop-1 and the Church in exchange for the \$60,000 already paid to her. In addition, the document stated that "all acts and conduct between myself and [Bishop-1] were instigated by me and that [Bishop-1] engaged in no conduct that was not authorized and solicited by me and done with my knowledge and consent." KHAN gave Attorney-1 a videotape, but Attorney-1 did not pay \$10,000 to KHAN. KHAN left Attorney-1's office, found a Chicago police officer outside, and claimed Attorney-1 assaulted her. The police report of the incident indicates that there was no injury and no further action was taken.

21. On or about December 22, 1999, a priest of the Church, who was familiar with KHAN as a parishioner, received and opened a package delivered by the United States Postal Service to his residence in Des Plaines, Illinois, from Chicago, Illinois. The package contained an undated letter from KHAN addressed to the Patriarch and a videotape of the November 1998 encounter with Bishop-1. KHAN claimed that Attorney-1 had "got a singure [sic] on gun point and broke my left hand as still now I'm getting medical treatment as I already report to the police." KHAN further stated,

Now it is up to you which way Your Hiness [sic] want me to go[!] I have master print of that video and tape so, I'm send you a copy to watch before I go in public with Internet I'm going to give 3 days to decided what is Your Hiness [sic] has to do? If [Attorney-1] or any harassment call come to me that will be end of it. Father know[s] how to contact me so, he will be the only middle man between us.

22. In January 2000, KHAN called for Father-1 several times at the cathedral in which KHAN and Bishop-1 first met and asked to speak with Father-1. Father-1 refused to take her phone calls.

23. On February 11, 2000, Father-1 made a consensually recorded telephone call to KHAN's telephone number after calling her and trading messages with her earlier that day. In the conversation, KHAN claimed that Attorney-1 broke her hand, acknowledged that she still had the videotape, and asked for \$80,000. She further stated that "if we go to the public, I am 100% sure that all Americans will be on my favor when they will see and when they will see the medical report." She said she would give the original tapes and materials to the Father, and that if

she had to go to court, the films and everything would come out. KHAN denied previously receiving \$60,000 from Bishop-1. KHAN acknowledged that she was using a portable telephone to speak with Father-1.

24. On February 13, 2000, KHAN left two voice-mails for Father-1 at approximately 9:45 a.m. and 9:48 a.m. KHAN stated in the first voice-mail that she wanted \$50,000 from Attorney-1, "plus \$80,000 from His Holiness." In the second, she asked Father-1 to call her and complained that Attorney-1 had broken her hand.

25. On February 15, 2000, KHAN left two additional voice-mail messages at 1:39 p.m. and 1:41 p.m. In the first, KHAN stated that she wanted to know the "Church's position," otherwise she would "go forward." In the second, she asked Father-1 to call her, otherwise she would "go ahead." On February 16, 2000, KHAN left another voice-mail for Father-1 at around 7:40 p.m. She asked him to call her because she wanted to know "what's going on," and whether she "should go ahead with my case."

26. On the morning of February 17, 2000, Father-1 telephoned KHAN and engaged in a recorded conversation. KHAN stated that if she sued Attorney-1, the "evidence will come out automatically" because he would have to explain why she went to his office. KHAN further stated that she "will go to the news media" and that she has "one lady very much interested."

27. On February 19, 2000, one of the Patriarch's secretaries received an express mail letter delivered by the United States Postal Service to Morton Grove, Illinois, from KHAN bearing a

postmark from Rockford, Illinois, but a return address of 6145 N. Seeley Avenue, Apartment G, in Chicago, Illinois. In the letter, which is dated February 18, 2000 and addressed to the Patriarch, KHAN stated that "Finally Father called me but I have a feeling that he wants to play the same game that you hired guy [Attorney-1] did." KHAN demanded \$50,000 from Attorney-1 and \$80,000 from "you" "if you don't want me to go on air with my story and prove." KHAN further stated that she "will hand over the things when I see letters one from [Attorney-1] and other from you[,] 2 cashier check, one from you \$80,000 (eighty thousand) and other \$50,000 (fifty thousand) from [Attorney-1] [,] no bargain."

28. On February 21, 2000, the United States Postal Service delivered an express mail letter from KHAN to the Patriarch in Morton Grove, Illinois, from KHAN with a postmark from Rockford, Illinois, but a return address of 6145 N. Seeley Avenue, Apartment G, in Chicago, Illinois. In the letter, which is dated February 23, 2000 and addressed to the Patriarch, KHAN stated that "I will wait for the answer this Friday both 80 thousand and 50 thousand cashier check." KHAN concluded, "This is my last letter to you after this no letter everything will be on air."

29. A check of the property records in the Winnebago County Supervisor of Assessments Office indicates that YASMEEN KHAN is the owner of 4028 Pine Crest Road, Rockford, Illinois, 61107, and has owned that property since October 1999.

30. A check of Illinois Secretary of State records reveals that a vehicle is registered to YASMEEN and her mother, GRACE KHAN, at 6135 North Seeley Avenue, Chicago, Illinois, 60659.

31. Based on the information described above, I believe there is probable cause that YASMEEN KHAN has violated 18 U.S.C § 876 by mailing on or about February 18 and February 23, 2000, with the intent to extort money, communications containing threats to injure the reputation of the Church, as well as Bishop-1 and Attorney-1.

FURTHER AFFIANT SAYETH NOT

Daniel W. Spotts
Special Agent
Federal Bureau of Investigation

Sworn to and signed in my presence
this 3d day of MARCH 2000

Edward A. Boe

United States Magistrate Judge